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Department of Fish and Game**

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Date: April 20, 2010

To: John Carlson, Jr.
Executive Director
Fish and Game Commission

From: John McCamman
Director
Department of Fish and Game

Subject: Consideration and Possible Final Action Regarding Proposed Amendments to Bear Hunting Regulations

This memorandum provides a recommendation by the Department of Fish and Game (Department) regarding proposed amendments to the existing regulations governing bear hunting in California. (See generally Cal. Code Regs., tit. 14, §§ 265, 365, 366.) The Department provides this recommendation in advance of tomorrow's meeting where the Fish and Game Commission (Commission) will consider possible final action regarding the proposed amendments, all as part of the larger 2010-2012 mammal hunting regulation package. (See Cal. Reg. Notice Register 2010, No. 8-Z, p. 287.) In short, the Department recommends at this time that the Commission make no change to the existing bear hunting regulations.

The Department and Commission received a significant number of public comments in response to the proposed amendments to the existing bear hunting regulations. Written responses to all public comments are required by the California Environmental Quality Act (CEQA) and the Administrative Procedure Act (APA) before the Commission can take final action with respect to the proposed amendments. (See, e.g., Cal. Code Regs., tit. 14, 781.5, subds. (c), (h).) The Department, however, with available resources, has been unable to complete the required written responses to comments for the proposed amendments to the bear hunting regulations. For this reason, coupled with the importance of moving forward with the balance of the mammal hunting regulation package generally, the Department recommends that the Commission make no change at this time to the existing regulations governing bear hunting in California.

If you have any questions regarding this item, please contact Sonke Mastrup, Deputy Director, Wildlife and Fisheries Division, at (916) 653-4673.

cc: Thomas Gibson, Legal
Sonke Mastrup
Eric Loft, Wildlife Branch